

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to family members serving as caregivers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/13/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to family members serving as caregivers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 12 of chapter 118E of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting, after paragraph 4, the following paragraph:-

3 Notwithstanding the provisions of any general or special law to the contrary, any program
4 of home and community based services funded pursuant to the provisions of this chapter, in
5 which family members are permitted to serve as caregivers paid by MassHealth, shall include
6 legally liable family members, including but not limited to biological, adoptive, foster or step
7 parents, legal guardians, powers of attorney, healthcare powers of attorney, and adult children of
8 care recipient, within the definition of family member; provided further, the executive office of
9 health and human services shall file a state plan amendment or waiver application, as may be
10 required, to allow legally liable family members to serve as caregivers paid by MassHealth.